

REMARKS

Claims 1-11 and 14-22 are pending in the present application. In the above amendments, claims 8-9, 14-17, and 19 have been amended, claims 12-13 have been previously withdrawn, and claims 23-29 have been added.

In the Office Action mailed July 5, 2005, the Examiner allowed claims 1-7, and 19-22. The allowability of claims 1-7 and 19-22 is noted with appreciation. The Examiner rejected claims 8-11, 14 and 16, and objected to claims 15, 17 and 18. Applicants believe that these amendments to the claims add no new matter to the application and are fully supported by the original disclosure. The amendments to claims 9, 15-17 and 19 are primarily clerical in nature. Support for the amendments to claims 8 and 14 is found throughout the specification and is found, for example, in paragraphs [1019] – [1035]. Support for new claims 23 – 29 is found throughout the specification and is found, for example, in paragraphs [1019] – [1035].

Applicants respectfully respond to this Office Action.

Claim 19

The Examiner objected to claim 19 stating that “said comparator” should be --said first comparator--. Claim 19 has been amended to conform with the Examiner’s request.

Claim 15

The Examiner rejected claim 15 under 35 U.S.C. 112, second paragraph, as being indefinite stating “it seems that the comparator is the same as the comparison means of claim 14.” Claim 15 has been amended to remove the Examiner’s rejection.

Claims 8-11, 14 and 16

The Examiner rejected claims 8-11 and 14 and 16 under 35 U.S.C. 103(a) as being anticipated by Eberhardt (5,930,288).

With respect to claims 8-11 and 14 and 16, the Examiner admits that Eberhardt differs from the present claimed invention in that the filter is not adjusted based on the lock detector.

The Examiner then argues that Eberhardt discloses that the filter is selected based on the lock detector. The Examiner then concludes that adjusting the filter based on the lock detector would have been an obvious design choice.

In the present patent application, the filter may be adjusted “to allow fast recovery of the finger.” Paragraph [1032] of the Specification. “[O]ne adjustment may be to ignore the filtering effects of lock filter 30, wherein the input to the lock filter is provided as its output also.” Paragraph [1027] of the Specification. “An alternate adjustment may be to increase the energy level of the lock filter 30 . . .” Paragraph [1027] of the Specification. “According to one embodiment, adjustment of the lock filter 30 gives a weight to each of the filter samples, wherein greater weights are given to more recent samples of the received signal  $\gamma$ . In this way, the lock filter 30 seeks to more accurately track the received signal  $\gamma$ . Paragraph [1027] of the Specification. These features are not disclosed by Eberhardt. Thus, adjusting signal filtering is not a design choice as stated by the Examiner. Claims 8 and 14 have been amended to clarify this distinction over the prior art.

#### Claims 23-29

Claims 23-29 have been added. Claims 23-29 are patentable for the reasons stated with respect to claims 1-7.

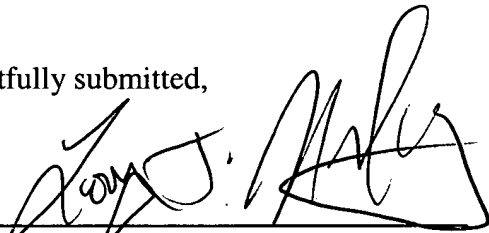
REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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By:

  
Larry J. Moskowitz, Reg. No. 42,911  
Tel. No. 858-651-4556

QUALCOMM Incorporated  
5775 Morehouse Drive  
San Diego, California 92121  
Telephone: (858) 651-4125  
Facsimile: (858) 658-2502